IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

FRIDAY, THE 3RD AUGUST 2007 / 12TH SRAVANA 1929

WP(C).No. 22884 of 2007(Y)

PETITIONERS:

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1. A.HALEEM, ALUPARAMBIL HOUSE,
CANAL WARD, ALAPPUZHA.

2. VINCENT GABRIEL, GABRIEL HOUSE,
LATTEEMPALLI PARAMBU,VAZHICHARY WARD,
ALAPPUZHA.

3. SARIFF, SHEEJA MANZIL, P.H. WARD,
ALAPPUZHA.

4. S. SUBAIR, ADABIYA MANZIL,
VAZHICHARY WARD, ALAPPUZHA.

5. ISAHAK, HASEENA MANZIL, VELLAKINAR WARD,

BY ADV. SRI.J.OM PRAKASH

RESPONDENT:

THE ALAPPUZHA MUNICIPALITY, REPRESENTED
BY ITS SECRETARY, MUNICIPAL OFFICE, ALAPPUZHA.

BY ADV. SHRI M. K. CHANDRAMOHAN DAS, SC.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 03/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. M. JOSEPH, J.

W.P.C. NO. 22884 OF 2007 Y

Dated this the 3rd August, 2007

JUDGMENT

The Writ Petition is filed seeking the following reliefs:

> *"i) Issue a writ of mandamus directing the respondents to re-open the Municipal Slaughter House forthwith;*
>
> *ii) Declare that the petitioners are entitled to conduct the sale of meat in the licensed stalls after conducting the slaughtering in any of the licensed Panchayat Slaughter Houses including the Slaughter Houses as per Exts.P10 and P12 licences.*
>
> *iii) Declare that the Municipality can't close down its own slaughter house without making alternative arrangements."*

2. Case of the petitioners, in brief, is as follows:

Petitioners are licensed to vend beef and mutton. There is a slaughter house conducted by the respondent Municipality, which is the only slaughter house in the Municipality. The meat merchants including the petitioners were depending on the same for slaughtering the animals, before sale in the stalls. A meeting was conducted by the Chairman on 18.6.2007 in which the

Chairman stated that the slaughter house will be closed on 19.6.2007 for maintenance and requested the co-operation of the merchants. The merchants protested and demanded for alternate arrangements. It was thereafter that the Chairman assured that within two weeks, the maintenance will be completed. It is stated that due to the closure of the slaughter house, the entire meat merchants including the petitioners are under starvation. They made representations. In the meantime, they have also sought arrangements for conducting slaughtering in the neighbouring Panchayat.

3. I heard the learned counsel for petitioners and the learned counsel for the respondent Municipality. Though the petitioners had a case that there is consent from a neighbouring Panchayat, learned counsel for the petitioners submits that the Panchayat may not co-operate in the matter. Learned counsel for the respondent Municipality submits that the slaughter house had to be closed down in connection with maintenance work. He submits that it will be reopened on 23.8.2007. In such

circumstances, the Writ Petition is disposed of directing that the slaughter house maintained by the respondent Municipality shall be reopened on 23.8.2007.

K. M. JOSEPH, JUDGE

kbk.